



**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

**IN THE MATTER OF:**

KAMLESH VIJ and PARVEEN VIJ

**Complainant,**

**and**

SIX FLAGS THEME PARK, INC.,  
D/B/A SIX FLAGS GREAT AMERICA

**Respondent.**

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**)Charge No: 1999 CP 1273**  
**)Charge No: 1999 CP 1274**  
**) Consolidated ALS # 11106**

**RECOMMENDED LIABILITY DETERMINATION**

On November 30, 1999, the Illinois Department of Human Rights filed a Complaint on behalf of Complainant, Kamlesh Vij, alleging that Respondent, Six Flags Theme Park, Inc., D/B/A Six Flags Great America, discriminated against her on the basis of her race and national origin when it ejected her from the amusement park in violation of the Illinois Human Rights Act, 775 ILCS 5/1-101 et.seq., (Act). The Complainant's Charge number is 1999 CP1273 and the ALS # was designated 11106.

On January 7, 2000, the Illinois Department of Human Rights filed a Complaint on behalf of Complainant, Parveen Vij, alleging that Respondent, Six Flags Theme Park, Inc., D/B/A Six Flags Great America, discriminated against him on the basis of his race and national origin when it ejected him from the amusement park in violation of the Illinois Human Rights Act, 775 ILCS 5/1-101 et.seq., (Act). The Complainant Charge number is 1999 CP1274 and the ALS # was designated 11150.

On February 18, 2000, the Chief Administrative Law Judge granted Respondent's motion to consolidate ALS # 11106 and ALS #11150. A new ALS number was assigned to the consolidated cases -- ALS # 11106 -- which is the matter currently before me.

A public hearing was held on the allegations of the charges on January 16, and 17, 2001. Subsequently, the Parties were ordered to submit closing briefs. The Parties have done so. This matter is ready for decision.

**CONTENTIONS OF THE PARTIES**

Complainants contend that Respondent unlawfully discriminated against them by ejecting them from its amusement park because of their race and national origin. Respondent denies that it unlawfully discriminated against Complainants and further states that it ejected Complainants from the amusement park for "line-jumping," which is forbidden by park policy.

## **FINDINGS OF FACT**

Those facts marked with an asterisk are facts to which the parties stipulated or facts which were admitted in the pleadings. The remaining facts were determined to have been proven by a preponderance of the evidence. Assertions made at the public hearing which are not addressed herein were determined to be unproven or immaterial to this decision.

1. Kamlesh Vij's race is Asian.\*
2. Parveen Vij's race is Asian.\*
3. Kamlesh Vij's national origin is Indian.\*
4. Parveen Vij's national origin is Indian.\*
5. Respondent (Six Flags) is a "Place of Public Accommodation" within the meaning of Section 5/5-101 of the Act.\*
6. Respondent ("Six Flags" or "park") is a large 110-acre regional amusement park with entertainment, attractions and rides.
7. At all relevant times, Parveen Vij (Mr. Vij) and Kamlesh Vij (Mrs. Vij) are married to each other.
8. Complainants, at the time of the hearing, have been married 23 years.
9. Complainants have two male children.
10. The older son is an engineering student at Northwestern University and the younger son is a senior at Jefferson High School.
11. Complainants' family visits amusement parks frequently and has visited Disney World several times.
12. Complainants purchased tickets for Six Flags from the Mall of America and drove, with their children, from Minnesota to Six Flags in Illinois the morning of July 25, 1998.
13. Complainants and their children entered Six Flags around 2:00 in the afternoon.
14. Around 4:00 p.m., Complainants wanted to go on the "Condor" ride; the children thought the ride not sufficiently challenging and did not want to go.
15. The children went to another ride, while the Complainants waited in line to go on the "Condor."
16. The Complainants and their children agreed to meet at 5:00 p.m. in front of the main gate.
17. There were 8-10 people behind the Complainants and several people in front of them in the "Condor" line.
18. At a place where the line curved, a white couple ahead of the Complainants was standing hugging and kissing and not advancing in the line.
19. Persons behind the Complainants requested the non-moving couple to move up.
20. The non-moving couple did not move up.
21. Some persons who were behind the Complainants in line ducked under the line railing and got in front of the couple who was not advancing.
22. The Complainants noticed that the people who had ducked under the railing to get ahead of the non-moving couple were now in front of Complainants.
23. Complainant then ducked under the railing and also got in front of the non-moving couple, who was still not advancing.

24. The non-moving couple then recognized that people had moved ahead and protested.
25. Complainants and others who had moved ahead offered the non-moving couple to come and retrieve their original place in line ahead of those who had ducked under the railing.
26. The couple said bad words, did not accept the offer to regain their place in line, and left .
27. Complainants continued to advance in line for around 20-25 minutes until they got on the ride.
28. Christina M. Peterson (Peterson) and her husband had just gotten in line and observed Complainants go over the fence in front of a family who was taking pictures.
29. Peterson, approached Lucius Shaw (Shaw), a security officer, and reported the Complainants as having line-jumped.
30. Peterson, reported that the “family” that was line-jumped was “holding up the line.”
31. Shaw requested assistance of another security officer, Erin Grossfield (Grossfield); both of them approached Complainants, ordered them off the ride and escorted Complainants to the Central Station.
32. Complainants did not leave the ride until the third time the security guard ordered them off of the ride.
33. The security officer accused Complainants of having jumped the line.
34. Complainants explained that they did not jump the line; that there were other witnesses who were there to confirm what had happened; and requested the security officer to check with the others, who were present at the time, to confirm what had happened.
35. The security officer did not attempt to interview anyone else who had been in line with the Complainants.
36. The other people on the ride appeared to be Americans.
37. The security officer did not ask anyone else to get off of the ride.
38. Complainants were taken to Central Security Station.
39. Complainants protested about being taken to the Central Security Station.
40. Complainants refused the security request to fill out an information questionnaire and requested to speak to their attorney.
41. Complainants were driven in a van to the back to exit the amusement park.
42. Complainants requested to security that they be driven around the front to meet their children and were refused.
43. Complainants asked security to contact their children to meet them at the security office and security refused.
44. Complainants were given instructions by security not to try and re-enter the premises under threat of arrest and jail.
45. Respondent took no steps to contact Complainants children or to otherwise get Complainants re-united with their children.
46. Peterson gave a written statement as to her observations of the line-jumping.
47. Peterson’s husband did not give a statement.
48. Peterson only identified one couple who had cut in line.

49. The Peterson statement indicated that the observation of the couple cutting in line was made after Peterson had “just gotten in line.”
50. The witness statement identified the persons who were line-jumped as a “family approximately 20 people in front of us posing for a picture, holding up the line.”
51. Peterson, the only person who complained, was not one of the persons who had been line-jumped.
52. No one complained to security that he/she, personally, had been line-jumped.
53. Respondent’s policy on line-jumping states “Please be considerate of other Guests. Offenders will be ejected from the Park without a refund.”
54. Christopher Vijayapal (Vijayapal) has been security sergeant for Respondent since 1996.
55. Richard Thomas (Thomas) was security manager for Respondent at all relevant times; his duties were to oversee the uniformed security operations for the park.
56. Grossfield wore a uniform and is lead officer; his duties are to assist seasonal officers working at the park.
57. Vijayapal made the decision to eject the Complainants.
58. Security personnel have discretion as to whether to eject line-jumpers from the park.
59. All reported line-jumpers are not ejected from the park.
60. Vijayapal believed the Complainants’ statement to him that they went around some people in line who were not moving.
61. Vijayapal testified that, if there were people not moving in line, and they had first been offered and asked to move ahead, and they refused or did not move ahead, there would be nothing wrong with people in line moving around them, although it would still be considered line-jumping.
62. Complainants did not violate Respondent’s line-jumping policy by moving around non-moving people.
63. Complainants did not violate Respondent’s line-jumping policy by offering the non-moving couple to retrieve their place in line.
64. Complainants did not violate Respondent’s line-jumping policy when the non-moving couple voluntarily left the line.
65. Complainants incurred reasonable and necessary travel expenses and costs.

### **CONCLUSIONS OF LAW**

1. The Illinois Human Rights Commission has jurisdiction over the parties to and the subject matter of the Complaint.
2. Complainants are individuals aggrieved by denial of the full and equal enjoyment of the facilities and services of a place of public accommodation on the basis of race and national origin discrimination prohibited by the Illinois Human Rights Act at 775 ILCS 5/5-102 (A).
3. Complainants have proved, by a preponderance of the evidence, a prima facie case of unlawful discrimination based upon Respondent’s denial to Complainants of the full and equal enjoyment of its place of public accommodation.
4. Respondent articulated a legitimate, non-discriminatory reason for ejecting Complainants from its amusement park.

5. Complainants established, by a preponderance of the evidence, that Respondent's proffered reason for discharging Complainant was a pretext for unlawful discrimination.

### **DETERMINATION**

Complainants established, by a preponderance of the evidence, that they were unlawfully discriminated against when Respondent ejected them from its amusement park.

### **DISCUSSION**

The issue is whether Respondent violated the Act when it ejected Complainants from its amusement park. The Act provides that it is a civil rights violation for an individual to be denied the full and equal enjoyment of the facilities and services of a place of public accommodation on the basis of race or national origin, Illinois Human Rights Act at 775 ILCS 5/1-103(Q).

Complainants allege that Respondent discriminated against them on the basis of their race (Asian) and national origin (Indian) when Respondent ejected them from its amusement park facility. Respondent contends that Complainants were ejected for line-jumping, which is contrary to park policy.

A Complainant bears the burden of proving discrimination by a preponderance of the evidence in accordance with the Act at 775 ILCS 8A-102(I). That burden may be satisfied by direct evidence, such as utterance of racial slurs or comments in connection with the adverse action, or through indirect evidence pursuant to **McDonnell Douglas Corp. v. Green**, 411 U.S. 793, 93 S.Ct. 1817 (1973) and **Texas Dept. of Community Affairs v. Burdine**, 450 U.S. 248, 101 S. Ct. 1089 (1981), adopted by the Illinois Supreme Court in **Zaderaka v. Illinois Human Rights Commission**, 131 Ill.2d 172, 545 N.E.2d 674 (1989). The Commission invokes this burden shifting method in public accommodations as well as in employment cases. **Davis and Ben Schwartz Food Mart**, 23 Ill. HRC Rep. 2 (1986)

In analyzing discrimination cases under the **McDonnell-Douglas** three-step approach, the Complainants must first prove, by a preponderance of the evidence, a prima facie case of discrimination, which raises a rebuttable presumption that the Respondent unlawfully discriminated. Once the Complainants have demonstrated a prima facie case, the Respondent then has the burden of articulating a legitimate, non-discriminatory reason for the adverse action. If the Respondent carries its burden of production, the presumption of discrimination drops and the Complainants are required to meet their continuing burden of proving, by a preponderance of the evidence, that the employer's articulated reason was not its true reason, but rather, merely a pretext for discrimination. **St. Mary's Honor Center v. Hicks**, 509 U.S. 502, 113 S. Ct. 2742 (1993). The burden of proving discrimination remains at all times with the Complainant. **Burdine, supra**.

A prima facie case of public accommodation discrimination may be proved by showing that 1) the Complainants were within the protected category; 2) they were denied full and

equal enjoyment of the Respondent's facilities; and 3) others not within the protected class were given full enjoyment of those facilities. **Davis; Yates and Salvation Army Adult Rehabilitation Center and Lila Delong**, \_\_\_ Ill. HRC Rep. \_\_\_ (Charge 1988 SP 0182-83, August 27, 1993).

#### Complainant's Prima Facie Case

It is undisputed that Complainants are members of a protected class in that they belong to a racial minority (Asian) and are of Indian ancestry. It is also undisputed that Complainants were denied the full enjoyment of the Respondents facilities when they were ejected and escorted out of the park. Complainants submitted competent evidence that the other people on the Condor ride were Americans and that not one of them was asked to get off of the ride. Therefore, Complainant has established a prima facie case.

Respondent articulated that Complainants were ejected from the park for line-jumping, which is contrary to park policy. Therefore, the Respondent has met its burden of articulation. Complainant is now required to prove that Respondent's articulation was not the true reason underlying its action.

Complainants went to Respondent's amusement park, along with their two male children, in July 1998. Complainants drove from Minnesota to the park in Illinois that morning and arrived at the park around 2:00 p.m. Around 4:00 p.m., their two children separated from them to go on a more challenging ride and agreed to meet up with their parents at 5:00 p.m. at the front gate.

Complainants submitted credible testimony that, as they stood in line to ride the "Condor," there was a couple kissing and hugging in front of them. People in the line behind them yelled for the couple to move up, but they refused. Finally, 8-10 people in line behind the Complainants moved around the stagnant couple by ducking under a railing. Complainants were now in position behind people they were previously in front of. Complainants then ducked under the railing and advanced in front of the couple. The couple then looked up and yelled that the others had advanced in front of them. One man told the couple to come up and get their spot in front of him and the Complainants, too, told the couple to come and get ahead of them. However, the male used bad words and the couple left the line. The couple never complained to security. None of the park personnel observed the occurrences in the "Condor" line.

The Complainants continued to advance in line for 20-25 more minutes until their turn to embark on the ride. The Complainants were sitting on the ride when a security guard approached and ordered them off of the ride. Complainants did not get off of the ride until the security officer ordered them off three times. After they disembarked from the ride, the scrutiny officer advised them that they were being ordered off the ride because they had line-jumped. The Complainant's protested to the security guard that they had not line-jumped, that they had advanced with others because of the non-moving couple, that the other persons who had also advanced were present at the ride and that he could confirm with them. The security guard refused to speak with the others and radioed for help.

It is undisputed that no security personnel attempted to speak with any other witnesses or any other persons who were in line or on the ride with Complainant, other than Peterson. I would think it reasonable that those persons in line surrounding the Complainants would have had an opportunity to observe any line-jumping and would have been able to clear up any confusion if they had been asked by the officers.

The evidence suggests that Peterson reported on what she observed. The confusion developed because Peterson had just arrived and had observed only the Complainants going around the non-moving couple. (Peterson reported the non-moving persons as being a “family” posing for a picture, while the Complainants characterized the non-moving persons as a “couple” hugging and kissing). Complainants submitted credible evidence that they were not the first persons who went around the couple—they were the last to move; they only moved ahead of the couple after several others behind them had done so, thus putting them farther behind in the line than they originally were. Only after others behind them had moved, did they move around the stagnant couple. Apparently, that is when Peterson entered the line. Peterson’s statement specifically indicates that she and her husband “had just gotten in line” when she observed the Complainants cut in line. This is totally consistent with Complainants’ testimony that they did not move ahead until after several others behind them had moved.

The Petersons were not the victims of any line-jumping – they had just gotten in line. They were witnesses who had not seen the entire situation and the Respondent did not appear interested in conducting any investigation to obtain the entire story. None of the security officers who were first on the scene attempted to get any statements from the others on the ride at the prompting of the Complainants. Security did not try and ascertain if there were any victims of line-jumping or witnesses still in line or on the ride with the Complainants. It reasons that if line-jumping had occurred, those ahead of and behind the Complainants would have observed it. Security did not even attempt to ask those in the vicinity if they had been victims of line-jumping by the Complainants. Respondent identified no victims of line-jumping. If Respondent had taken out the time to simply inquire as to witnesses who were present and available at the ride, this situation could have been resolved at the scene.

Grossfied, who arrived on the scene shortly after Shaw, testified that he asked the Complainants for their side of the story, but there were a lot of things going on and he never got their perspective. Neither Shaw nor Grossfield listened to Complainant’s story concerning line-jumping while at the scene with witnesses -- who would have necessarily been the victims of any line-jumping due to their close proximity in line with Complainants. It is notable that the Complainants were in the security office for over an hour and no security personnel ever fully entertained their side of the story and the “couple” or “family” who were line-jumped never made a complaint.

The issue is whether Complainants violated Respondents line-jumping policy and the evidence supports that they did not. Vijayapal’s testimony indicated that if non-moving people were asked to move ahead and they did not, there would be nothing wrong with

the line continuing to move around them. It is uncontroverted that this is exactly what the Complainants did-- they advanced around non-moving persons. Also, after the Complainants had gone around the non-moving couple and the couple noticed and complained, they and the others offered the couple to retrieve their place in line. Had the couple done so, they would have been placed in the same position they had been prior to any movement. The couple chose not to regain their place in line and left -- they did not summon a security officer nor did they complain at any time to park officials-- they simply left, presumably to pursue other interests.

Prior to ordering the Complainants off of the ride, Respondent was made aware that there was a "family" who was not advancing in line. Peterson's statement, which was an accurate statement of what Peterson had reported to Grossfield, clearly indicates that a "family" was "posing for a picture," "holding up the line." Their action in not moving prompted the actions of the others to move around them. With this knowledge, Respondent only ordered Complainants off of the ride, did not order anyone else off of the ride, and did not attempt to talk to anyone on the ride, even after Complainants explained that they all had advanced because of a non-moving couple.

Respondent failed to do any investigation whatsoever on site, failed to question other potential witnesses who were also on the ride -- even after being prompted to do so by the Complainants. Thomas testified that a line-jumping investigation should have consisted of talking to the people in the front of the line, the back of the line and the middle, where the offense occurred. This obviously did not happen. Security personnel simply ignored Complainants' urges to talk to the witnesses, ignored their explanation of the incident, and appeared more concerned with carting them off to central station, rather than with making a determination as to whether a line-jumping event had actually occurred.

Complainants have successfully established that Respondent did not eject them for line-jumping, and that they were denied the full and equal enjoyment of the amusement park based upon their race and nationality.

### **DAMAGES**

The purpose of the damage award is to make the Complainant whole. When the Complainant has been a victim of unlawful discrimination under the Act, he should be placed in the position he would have been but for the discrimination. **Clark v. Human Rights Commission**, 141 Ill. App. 3d178, 490 N.E.2d 29 (1st Dist. 1986).

#### **Emotional Injuries**

Complainants request compensation for emotional injury damages. Complainants make no request for a specific amount, leaving it to me to make that determination. Both Complainants testified as to the humiliation and embarrassment they felt by being ordered from the ride and escorted to the central security station by security personnel.



Mrs. Vij testified that, after she was escorted out of the park, she was crying and shaken, she was very concerned about her children and too afraid to go to the gate to look for them under threat of arrest. She and her husband were forced to wait in the parking lot until the park closed in order to meet with their children. There were no restaurants in the vicinity. There was nothing to eat or drink. The Complainants were afraid to drive the car out of the parking lot in search of food and facilities because their children may have come to the car looking for them, and they did not want the children to discover the car gone and think something bad had happened.

The incident caused Mrs. Vij to begin having nightmares about not being able to reach her children. Mrs. Vij testified that her culture and religion rely on the counseling of a priest instead of a therapist, as is normally used in this country. She sought help from her priest, who counseled her and suggested tools such as mantras, chanting and consoling rituals. She saw her priest around 20 times. She and her family, formerly avid amusement park visitors, have not visited an amusement park since the incident and did not attend her company picnic because it was held in an amusement park.

Mr. Vij testified that the day of the incident was the worst day of his life. He was very concerned about his wife, as she was distressed and shivering. He experienced nightmares and is still experiencing them. Mr. Vij also sought counseling from his priest.

In assessing an appropriate damages award for emotional distress in this case, I find *Marcus Blakemore and Glen's Restaurant*, 35 Ill.HRC Rep. 154 (1987) a comparable case. In *Marcus*, although complainant did not seek medical treatment for emotional suffering, \$5,000.00 was awarded to complainant when respondent refused to serve him a cup of soup, which was served to a white customer instead, then ordered him to leave, and caused him to be arrested by police. The *Marcus Blakemore* case is analogous in that, it too, was a one-time event with an absence of racial slurs or on-going discriminatory treatment, which caused emotional distress.

Here, the Complainants sought counseling from their priest, which, in Complainants' culture and religion, is analogous to an American seeking counseling from a therapist, psychologist or psychiatrist. Considering the conduct of the Respondent and the severity of anxiety felt by the Complainants due to the incident, Complainants are entitled to slightly more than the \$5,000.00 awarded in the *Marcus* case. Also, the anxiety experienced by Mrs. Vij was clearly more severe than that experienced by Mr. Vij. Therefore, Mr. Vij is entitled to \$6,000.00 to compensate for his emotional suffering and Mrs. Vij is entitled to \$8,000.00 to compensate for her emotional suffering.

#### Expenses and Lost Income

Complainants requests \$3,926 in airline tickets, taxi transportation from the airport, meals and hotels, and lost wages for three commutes from Minnesota to Chicago – one for the Department of Human Rights conference, one on the 1<sup>st</sup> of February and one for the public hearing. This amount includes accommodations for Complainant's attorney.

Respondent argues that Complainants are not entitled recover ordinary expenses of litigation and trial preparation and may only recover costs specifically designated by statute, citing *Dominguez v. St. Johns Hospital*, 197 Ill.Dec. 947, 953, 260 Ill.App. 3d 591, 632 N.E. 2d 16 (1<sup>st</sup> Dist 1994) and *State Farm v. Miller Electric Co.*, 172 Ill. Dec. 890, 892-893, 231 Ill App. 3d 355, 596 N.E. 2d 169 (2<sup>nd</sup> Dist. 1992). Respondent contends that no specific provision is made at Section A-104(G) of the Act for recovery of Complainant's travel, meals or lost wages, therefore, these costs are not recoverable.

I do not agree with Respondent's misguided interpretation. The Parties requesting costs in *Dominguez* and *State Farm* were Defendants and the respective decisions addressed the issues purely from the perspective of a Defendant's right to recover costs. The decision in both of these cases analyzed that there was no automatic right to recovery of costs for **Defendants** under the Illinois Code of Civil Procedure, section 735 ILCS 5/5-109.

The authority here for granting costs stems from the Act at 5/8A-104. Sub-section (G) allows a prevailing Complainant costs of maintaining the action and subsection (J) allows such action necessary to make the Complainant whole.

Complainants lived in Minnesota and had made the trip to Illinois to the Respondent's amusement park where the discrimination took place. Complainants were required to file the action in Illinois. Thomas testified that Six Flags is a regional theme park, which entertains approximately 3 million guests a year. The implication of a regional park is that it attracts guests from a large multi-state area, rather than from a local area. Complainants had to travel from Minnesota to Illinois to litigate this matter, were forced to miss work, and had to incur necessary travel expenses. Much of these costs should be reimbursed in order to comport with the Act's mandate to make Complainant whole.

However, I do not deem it reasonable to award expenses for conferences that took place prior to the public hearing, nor for Complainant's attorney. Therefore, Complainants are entitled to expenses incurred for themselves for the public hearing only.

Complainants paid \$190.00 for airline tickets, \$63.00 for taxi fare, \$346.00 for the hotel, and \$160.00 for meals to attend the two-day public hearing. Complainants request lost wages of \$464.00 for Mr. Vij for two days and \$480.00 for two days for Mrs. Vij. Complainants also request reimbursement of \$68.00 for the two tickets to attend the park. These expenses and lost wages total \$1,771.00. Mr. Vij submitted testimony that he used coupons to defray the costs of the hotel and took steps to obtain very reasonable air fares and to use the lowest cost of ground transportation. I find his efforts to keep these expenses low commendable and further find these expenses reasonable and necessary.

The Complainant has attached an attorney's fee petition to its brief; therefore, the Respondent shall be given time to specifically object to it if it chooses to do so.

### **Recommendation**

Accordingly, it is recommended that an order be entered awarding Complainants the following relief:

- A. That the instant Complaint be sustained.
- B. That Respondent pay to Mr. Vij lost wages in the amount of \$464.00;
- C. That Respondent pay to Mrs. Vij lost wages in the amount of \$480.00;
- D. That Respondent pay to Mr. Vij \$6,000.00 in emotional damages;
- E. That Respondent pay to Mrs. Vij \$8,000.00 in emotional damages;
- F. That Respondent reimburse Complainants \$827.00 in expenses.
- G. That Respondent pay to Complainant the reasonable attorney's fees and costs incurred in the prosecution of this matter, that amount to be determined after review of a motion and detailed affidavit meeting the standards set forth in **Clark and Champaign National Bank**, 4 Ill. HRC Rep. 193 (1982). (Said motion and affidavit have been previously filed as part of the Complainant's closing brief).
- H. If Respondent contests the amount of requested attorney's fees, it must file a written response to Complainant's motion within 21 days of the service of this determination; failure to do so will be taken as evidence that Respondent does not contest the amount of such fees.
- I. No exceptions shall be filed with the Commission until a Recommended Order and Decision ruling on the attorney's fee petition is issued. 56 Ill. Admin. Code, Ch. XI, Sec. 5300.920.
- J. The recommended relief in paragraphs A through H is stayed pending resolution of the issue of attorney's fees and issuance of a final Commission order.

**ENTERED: December 18, 2001**

**HUMAN RIGHTS COMMISSION**

By: \_\_\_\_\_  
**SABRINA M. PATCH**  
**Administrative Law Judge**  
**Administrative Law Section**